



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Approval of Expenses Incurred by Outside Counsel/Consultants Relative to the Environmental Abatement Program Litigation and Various Other Cases being Handled by Outside Counsel (\$217,628.30).

MEETING DATE: February 21, 2007 City Council Meeting

PREPARED BY: City Attorney's Office


RECOMMENDED ACTION: That the City Council approve for payment expenses incurred by outside Counsel/Consultants related to the Environmental Abatement Litigation in the total amount of \$216,946.45, and Various other cases being held by Outside Counsel in the amount of \$681.85.

BACKGROUND INFORMATION: Listed below are invoices from the City's outside counsel, Folger, Levin & Kahn; Kronick, Moskowitz, Tiedemann & Girard; and miscellaneous vendors, for services incurred relative to the Environmental Abatement Program litigation, and various other matters that are currently outstanding and need to be considered for payment.

Folger Levin & Kahn - Invoices Distribution				Water Acct.
Matter No.	Invoice No.	Date	Description	Amount
8002	100000	12/31/2006	People v M&P Investments	59,659.92
				-3,600.00
8003	100001	12/31/2006	Hartford Insurance Coverage Litigation	133,124.41
				-1,623.50
8008	99998	12/31/2006	City of Lodi v. Envision Law Group	14,594.15
	14200	12/31/2006	PES Environemtal-Keith O'Brien	648.75
	6600	12/31/2006	West Environmental/PeterKrasnoff	7,815.00
Total				\$210,618.73

Kronick Moskowitz Tiedemann & Girard - Invoices Distribution				
Matter No.	Invoice No.	Date	Description	100351.7323
11233.027	230472	01/25/07	Citizens for Open Govt.v.Col	171.25
11233.029	230472	01/25/07	AT&T v. City of Lodi	510.60
Total				681.85

APPROVED:


Blair King, City Manager

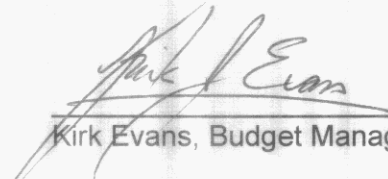
MISCELLANEOUS

Invoice No.	Date	Description	Water Account Amount
06SF1025148	10/25/2006	Document Services Unlimited	2,594.07
06SF111481	11/14/2006	Document Services Unlimited	3,212.38
		Divide Cost 1/2City/1/2 Insurers	5,806.45
		Total Amount Due from City of Lodi	\$2,903.22
2089	8/28/2006	Benchmark Video	\$2,547.25
68119ESF	01/11/07	Esquire Deposition Services	\$463.75
325473	01/18/07	Barkley Court Reporters	\$413.50

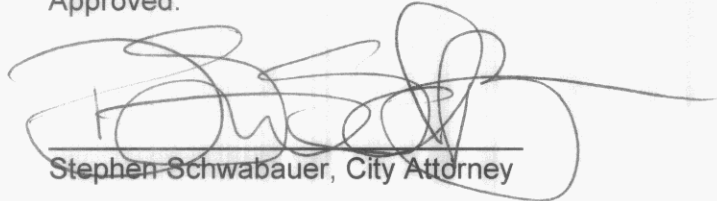
FISCAL IMPACT: Expenses in the amount of \$681.85 will be paid out of the General Fund with \$171.25 of that amount billed to Walmart for City's defense of the Citizens for Open Government v. City of Lodi litigation. The remaining expenses will be paid out of the Water Fund.

FUNDING AVAILABLE: Water Fund \$216,946.45
General Fund \$ 681.85

Approved:


Kirk Evans, Budget Manager

Approved:


Stephen Schwabauer, City Attorney